

UNITED STATES DISTRICT COURT
for the
Eastern District of North Carolina

United States of America
v.

Jabari Devon DAVIS

Defendant(s)

Case No. 5:20-MJ-1572-RN

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 31, 2020 in the county of Wake in the
Eastern District of North Carolina, the defendant(s) violated:

Code Section

Offense Description

Title 18 U.S.C. § 844(f)

Maliciously damaged by means of fire a vehicle owned by the City of Raleigh
which receives Federal financial assistance

This criminal complaint is based on these facts:

See attached affidavit

☒ Continued on the attached sheet.



Complainant's signature

Chad Edmunds, Special Agent

Printed name and title

Date and time issued: June 4, 2020 4:31 pm



Judge's signature

City and state: Raleigh, North Carolina

Robert T. Numbers, II United States Magistrate Judge

Printed name and title

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION**

Probable Cause Affidavit

I, Chad Edmunds, hereinafter designated as affiant, having been duly sworn according to law, depose and state that:

1. Affiant is a Senior Special Agent/Certified Fire Investigator (SSA/CFI) with the Bureau of Alcohol, Tobacco, Firearms, and Explosives ("ATF") and have been so employed since October 2007. Affiant is currently assigned to the Raleigh, North Carolina Field Office, Charlotte Field Division. This affiant has received extensive training at the ATF National Academy in the investigation of firearms, arson, explosives offenses and alcohol and tobacco diversion. I have also received advanced training in arson investigations from the National Fire Academy, International Association of Arson Investigators and Oklahoma State University. This affiant is also a member of the ATF National Response Team (NRT), which responds to fire and explosives incidents nationwide.
2. This affiant has participated in multiple arson investigations that have led to successful federal prosecutions. Previously, this affiant was employed as a Lieutenant with the Apex Fire Department in the State of North Carolina for 1 year. Prior to serving as a Lieutenant with the Apex Fire Department, the affiant was a police officer with the Raleigh Police Department in the State of North Carolina for six years
3. As a result of your affiant's training and experience as an ATF Senior Special Agent/Certified Fire Investigator, your affiant is familiar with federal criminal laws, and has participated in the investigations of criminal violations of federal law, including, but not limited to, Title 18 United States Code Sections 844(f).

4. I make this affidavit in support of an application for the issuance of a criminal complaint against Jabari Devon DAVIS (hereinafter "DAVIS") for the following violation:

Title 18 U.S.C. § 844(f) – Whoever maliciously damages or destroys, or attempts to damage or destroy, by means of fire or an explosive, any building, vehicle, or other personal or real property in whole or in part owned or possessed by, or leased to, the United States, or any department or agency thereof, or any institution or organization receiving Federal financial assistance

5. Information contained within this affidavit is based upon information from this Affiant's investigation, personal observations, training and experience, as well as information relayed to this Affiant by other law enforcement officers and or agents. I am not including every fact of the investigation, but only the necessary information needed to obtain probable cause that DAVIS violated Title 18 U.S.C. § 844(f)

FACTS IN SUPPORT OF PROBABLE CAUSE

6. On May 31, 2020, at approximately 0031 hours a fire was discovered coming from the fuel filler area of a marked Raleigh Police Sport Utility Vehicle (SUV) at the Raleigh Police Southeast District Station located at 2800 Rock Quarry Road, Raleigh, North Carolina (NC) 27610. Charring was also located in the landscaping behind the police vehicle.
7. The fire was discovered by a Raleigh Police Department Captain who was driving through the district station parking lot. The RPD Captain extinguished the fire with a fire extinguisher prior to the fire departments arrival.
8. During the incident, Raleigh Police Vehicle unit 315 bearing NC registration 56411-V was damaged when a subject later identified as DAVIS placed a gasoline soaked sock in to the

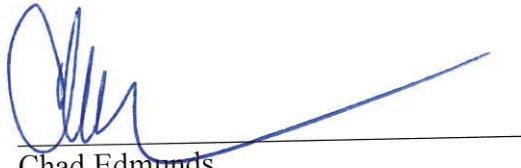
gas tank fuel filler and ignited the sock. The fire caused the paint to burn and discolor on the vehicle. The police car is owned by the City of Raleigh, which receives federal funding annually—as confirmed by City police officials

9. An agent with the City County Bureau of Investigations (CCBI) responded and processed the scene. In addition to a charred and partially consumed sock in the vehicles fuel filler, the CCBI agent located a Hennessey bottle that contained what was described as an odor of gasoline and a lighter. The Hennessey bottle and lighter were located on a sidewalk on New Birch Road, which is directly behind the damaged police vehicle.
10. On June 1, 2020, video surveillance from the Southeast District Station was reviewed and showed a dark colored vehicle turn right on to New Birch Road from Olde Birch Road. The vehicle proceeds on New Birch Road and stops behind the police vehicle that was damaged. The suspect vehicle was stopped for a short period of time and then proceeded east on New Birch Road. The vehicle proceeds to a roundabout and then heads back west on New Birch Road. The video surveillance then picks the vehicle back up turning left on Olde Birch Road. Within sixty seconds of the vehicle stopping on New Birch Road, a fire is observed coming from between two police vehicles.
11. On June 2, 2020, Raleigh Police Detective DeHaan was notified by the CCBI that a fingerprint had been lifted off of the Hennessey bottle recovered at the scene. A Latent print examiner determined the print to be the left ring finger of DAVIS.
12. On June 3, 2020, this affiant and RPD Detective DeHaan interviewed DAVIS at his residence. Initially DAVIS told investigators that he was not in the area of the Southeast District Station on Saturday night/early Sunday morning. DAVIS stated that he had discarded a Hennessey bottle on Friday night in the Farmington Neighborhood, which is

located behind the police station. As investigators continued to speak with DAVIS, he changed his story and admitted to being the subject who intentionally set the police vehicle at the Southeast district on fire. DAVIS stated that he is "pissed off with everything going on". DAVIS stated that he had placed gasoline in to a Hennessey bottle at his residence on May 30, 2020, placed the bottle in a backpack and went to the rally being held in downtown Raleigh. DAVIS stated he attended the protest with a friend. DAVIS stated that his friend was driving a black Dodge Charger and he was the passenger. DAVIS stated that after the two left the rally, they discussed going to set a police car on fire at the police station. DAVIS stated that his friend dropped him off and picked him up on New Birch Road.

13. DAVIS stated that prior to exiting the vehicle, he placed a sock in to the neck of the Hennessey bottle that contained the gasoline. DAVIS stated he had a second sock that he had poured gasoline on. DAVIS stated they pulled up on the street behind the police station and he got out and went up the hill to the police car. DAVIS stated that he placed the gasoline soaked sock "in to the gas tank" and ignited it. DAVIS said he then went down the hill and ignited the sock that he had placed in to the Hennessey bottle and threw it toward the police cars. DAVIS said after he threw the bottle, the burning sock fell out of the bottle midair and that is what caught the grass and pine straw on fire.
14. DAVIS stated after he threw the bottle at the police vehicles, he re-entered the vehicle and they left the area.
15. Based on the foregoing investigation, probable cause exists to believe that Jabari Devon DAVIS, did violate Federal law including Title 18, United State Code Sections 844(f) and

I respectfully request that a complaint warrant be issued for Jabari Devon DAVIS's arrest.



Chad Edmunds
Senior Special Agent/Certified Fire Investigator
Bureau of Alcohol, Tobacco, Firearms, and Explosives

Pursuant to Rule 4.1 of the Federal Rules of Criminal Procedure, the affiant appeared before me via reliable electronic means, was placed under oath, and attested to the contents of this written affidavit.

Dated: June 4, 2020



Robert T. Numbers, II
United States Magistrate Judge